

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.474 of 2015

Arising Out of PS.Case No. -79 Year- 2014 Thana -BAJPATTI District- SITAMARHI

=====

Ram Binay Sah, son of Jogi Sah, R/o village - Dhankaul, P.S. Bajpatti,
District - Sitamarhi

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr.

For the Opposite Party : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE V.N. SINHA
ORAL ORDER

3 21-05-2015 Heard learned counsel for the

petitioner and the State.

Petitioner is apprehending arrest in connection with a case under Section 304B and other allied Sections of the Penal Code. It is submitted on his behalf that parental members of the deceased have alleged against the petitioner but independent witnesses have confirmed the fact that deceased suffered diarrhea, was brought to the clinic of Dr. Shivaji Sah who referred her to S.K.M.C.H., Muzaffarpur. According to learned counsel, aforesaid statement has been recorded in Paragraphs 8, 23 of the case diary. Though Paragraph 8 has been referred to in the order



passed by learned Sessions Judge but from the impugned order it does not appear that learned Sessions Judge has taken note of such statement. Accordingly, I direct the petitioner to surrender in the court below within four weeks from the date of receipt/production of a copy of this order in the court below in connection with Bajpatti P.S. Case No. 79 of 2014, pending in the court of S.D.J.M., Pupri at Sitamarhi, apply for regular bail, which should be considered in the light of the statement recorded in the case diary in Paragraphs 8, 23, if therefrom it appears that the deceased suffered from diarrhea, was treated by Dr. Shivaji Sah who referred her to P.M.C.H., appropriate order be passed on his bail application.

With the direction aforesaid the application is disposed of.

(V.N. Sinha, J)

P.K.P.

U		T	
---	--	---	--